IN THE SUPERIOR COURT OF THE STATE OF ARIZO IN AND FOR THE COUNTY OF YAVAPAI

DIVISION: 6

JEANNE HICKS, CLERK

HON. THOMAS B. LINDBERG

By: Rachel Roehe, Deputy Clerk

CASE NO. P1300CR20081339

DATE: May 21, 2010

DATE: May 21, 2010
5:00 O'Clock P.M.
JEANNE HICKS, CLERK
BY: Rachel Roche

FILED

Deputy

TITLE:

COUNSEL:

STATE OF ARIZONA

(Plaintiff)

Yavapai County Attorney (e)

(For Plaintiff)

VS.

STEVEN CARROLL DEMOCKER

(D-1)

John Sears (e)

Larry Hammond & Anne Chapman (e)

OSBORN MALEDON, P.A.

(For Defendant)

HEARING ON:

NATURE OF PROCEEDINGS

COURT REPORTER

Jury Trial / Jury Selection – Day 11

Lisa Chaney & Sandra K Markham

START TIME: 8:32 a.m.

APPEARANCES:

Joseph Butner, Deputy County Attorney

Jeff Paupore, Deputy County Attorney

Steven DeMocker, Defendant John Sears, Counsel for Defendant Larry Hammond, Counsel for Defendant Anne Chapman, Counsel for Defendant

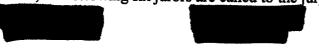
Court convenes with the presence of the Defendant and Counsel.

Discussion takes place with regard to the possibility of qualifying additional jurors.

Discussion takes place with regard to scheduling issues. The Court confirms the hearing with regard to Jana Johnson set for Thursday morning.

Discussion takes place with regard to potential jurors.

At 8:47 a.m., the following six jurors are called to the jury box.



The Court addresses the juror and reads a statement of the case.

At 9:06 a.m., the six jurors called to the box are sworn.

is examined on *voir dire*. Upon agreement of Counsel, the juror is excused for cause. The juror is admonished and exits the Courtroom.

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is examined on *voir dire*. The juror is admonished and advised that she remains subject to recall. The juror exits the Courtroom.

P1300CR20081339 May 21, 2010 Page 2

Defense Counsel requests that the Court strike this juror for cause. The Court **DENIES** the motion to strike the juror for cause.

At 11:05 a.m., Court reconvenes with the presence of all parties previously present. The jurors are not present.

Discussion takes place with regard to behavior and communication in the courtroom.

The Court **ORDERS** that the Defendant is in the custody of the detention officers and shall follow their direction. The attorneys shall not give commands to the detention staff. The detention officers shall make restroom breaks available to the Defendant when jurors will not be affected. The Court does not determine that smiling between the Defendant and people in the Courtroom is unlawful communication.

and are called into the Courtroom and are directed to return at 1:30 p.m.

is examined on *voir dire*. The juror is admonished and advised that she remains subject to recall. The juror exits the Courtroom.

Defense Counsel requests that the Court strike this juror for cause. The Court **DENIES** the motion to strike the juror for cause.

At 1:26 p.m., Court reconvenes with the presence of all parties previously present. The jurors are not present.

is examined on *voir dire*. The juror is admonished and advised that she remains subject to recall. The juror exits the Courtroom.

Counsel for the State requests that the Court strike this juror for cause. The Court **DENIES** the motion to strike the juror for cause.

Discussion takes place with regard to potential jurors.

Discussion takes place with regard to possibly having an evidentiary hearing on Wednesday, May 26, 2010, at 1:30 p.m.

is examined on *voir dire*. The juror is admonished and advised that she remains subject to recall. The juror exits the Courtroom.

Discussion takes place with regard to potential jurors.

Discussion takes place with regard to the Motion for Sanctions against Christopher DuPont and request for jury pool examination with regard to a newspaper article that appeared today.

Defense Counsel makes an oral Motion for Reconsideration with regard to striking juror cause.

At 4:13 p.m., Court reconvenes with the presence of all parties previously present. The jurors are not present.

Counsel argue the Motion for Reconsideration with regard to striking juror for cause. The Motion is **DENIED**.

Discussion takes place with regard to scheduling issues and potential jurors.

P1300CR20081339 May 21, 2010 Page 3

having been previously sworn, is examined on voir dire hardship issues by the Court.

and are admonished and directed to return on Wednesday, May 26, 2010, at 8:30 a.m. The jurors exit the Courtroom.

Discussion takes place with regard to pending motions.

Discussion takes place with regard to the Defendant's visitation during the trial.

Discussion takes place with regard to scheduling issues.

The Court stands at recess until 8:30 a.m. on Wednesday, May 26, 2010.

END TIME: <u>5:00 p.m.</u>

THEREAFTER, off the record, IT IS ORDERED that the FTR recording from today shall be preserved and a copy made for the Court of the portion of the recording surrounding the break in the morning.

Honorable Thomas B. Lindberg, Superior Court Judge

cc: VS (e)

Jury Commissioner (re: excused jurors)
Donna McQuality (re: FTR recording)

Dean Trebesch (Contract Administrator) (PD) (e)

Division 6 YCSO (e)

John Napper, Counsel for Renee Girard (e)

Christopher DuPont, Trautman DuPont PLC, 1726 North Seventh Street, Phoenix, AZ 85006,
Counsel for Victims Charlotte and Katherine DeMocker